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09/308,829

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SCHLIEVERT ET AL. Examiner: J. HINES
Serial No.: 09/308,829 Group Art Unit: 1641
Filed: July 14, 1999 ✓ Docket No.: 600.347USWO
Title: ✓ MUTANTS OF STREPTOCOCCAL TOXIN C AND METHODS OF USE

CERTIFICATE UNDER 37 CFR 1.10:

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I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Washington, D.C. 20231.

By:

Omish Singh

PRELIMINARY AMENDMENT

BOX CPA
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action of February 8, 2001, please enter this amendment and consider the following remarks for the patent application identified above.

In the Claims

Please cancel claims 1, 3-12, and 15-23 without prejudice. Please add and consider claims 24-44.

Sub E
24 (New) A mutant Streptococcal pyrogenic exotoxin type C (SPE-C toxin) comprising:
an amino acid substitution of aspartic acid-12, tyrosine-15, tyrosine-17, histidine-35, asparagine-38, or substitution at more than one of these amino acids; and
wherein the mutant is substantially nonlethal compared with a wild type SPE-C toxin.